



## ADMINISTRATIVE REGULATION

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Effective Date: September 14, 1993      Administrative Regulation 1-26

Revision Date: November 8, 2021      Supersedes: July 8, 2020

Approved By: William H. Ashton II

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Subject: **Employee Status Changes**

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### I. Purpose

The purpose of this Administrative Regulation is to define the types of employee status changes that can occur and to provide guidelines for fair and equitable administration of such changes.

### II. Promotions - General

When employees move from one position to another position which has a higher salary range, they are considered promoted. When a position vacancy occurs, an employee must apply for a promotion by completing an employment application and submitting it to the Department of Human Resources. To be eligible for promotion, an employee must not have undergone any formal disciplinary action in the 12 months prior to promotion.

The employee's pay rate will be at the minimum rate in the new grade. In the case of the employee's current salary overlapping the new grade, the employee will be placed in the new grade at that rate which will allow for a five percent increase over the current salary for one or two grade increases, 10 percent increase for three or four grade increases and 15 percent for five or more grade increases, not to exceed the maximum rate of pay assigned to the new job grade.

All promoted employees will serve a 12-month probationary period in the new position.

### III. Career Development Program for Herndon Police Department - Appointments/Promotions/Demotions

General Order 411 documents the career development program and General Order 408 documents promotions for the Herndon Police Department. This section of this administrative regulation serves to outline the pay practices associated with the Herndon Police Department (HPD) Career Development Program (CDP), promotions and demotions. HPD is responsible for tracking and notifying human resources of timing for

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appointments under the CDP program and promotions.

An increase in rank and position will result in the employee being placed in the new position, at a rate which will allow for a five percent increase over the current salary for each rank or position, not to exceed the maximum rate of pay assigned to the new rank.

All CDP appointments are based on criteria set forth in the applicable General Order.

Effective with a demotion, each decrease in rank or position will result in a five percent pay reduction on base pay per rank occupied. Requests for voluntary demotions will not serve a 12-month probationary period.

#### **IV. Demotions - General**

When employees move from one position to another position which has a lower salary range, they are considered demoted. The pay rate will be reduced by five percent for one or two grade decreases, 10 percent for three or four grade decreases and 15 percent for five or more grade decreases. The employee will be placed in the new pay grade at a rate that accomplishes this reduction. Requests for voluntary demotions will not serve a 12-month probationary period.

An employee may be demoted for any of the following reasons:

- A. When an employee would otherwise be laid off because the position is being abolished.
- B. When an employee willfully violates or fails to comply with the requirements imposed by the standards of conduct.
- C. When an employee is unable to perform the essential functions required of the position as determined by a fitness for duty examination.
- D. When an employee is not rendering satisfactory service in the current position.
- E. When an employee voluntarily requests such demotion and town operations can support the request.

#### **V. Transfers**

When employees change from one position to another position in the same grade,

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they are considered transferred. Transfers are voluntary. When a position vacancy occurs, an employee must apply for a transfer by completing an employment application and submitting it to the Department of Human Resources. An employee's pay rate does not change upon transfer. All transferred employees will serve a 12 month probationary period.

### **VI. Reassignments**

The Town Manager may reassign an employee from any department, division, office or position to another department, division, office or position of the town during emergencies or when such action is deemed by the Town Manager to be in the best interest of the town. This assignment may be temporary or permanent.

Department heads for the good of their department and the town can reassign employees within their own department.

An employee's pay rate does not change upon reassignment. There is not a renewed probationary requirement for employees who are reassigned by the Town Manager or the department head.

### **VII. Reclassifications**

When the duties of a position have changed substantially the position may be considered for reclassification. Reclassifications are normally requested during the fiscal year budget process. There is not a renewed probationary requirement for employees who are reclassified.

- A. The department head must work with the Director of Human Resources on the proposed reclassification. The Director of Human Resources will review the request and make a grade and salary recommendation to the Town Manager. The Town Manager will approve or deny the recommendation.
- B. Upon upward reclassification of a position, an employee whose salary is below the midpoint of the new grade will receive a pay increase equal to five percent of the midpoint of the salary range for the new grade, not to exceed the maximum rate of pay for the new pay grade or move to the minimum of the new range, whichever is greater.

For example, if the midpoint of a new job classification is \$50,000, a reclassified employee making below the midpoint will receive an increase of \$2,500, which is 5 percent of the midpoint.

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An employee whose pay rate is at or above the midpoint of the new grade will be placed in the new position at a rate which is equal to the employee's current rate of pay, unless specifically approved by the town manager.

- C. Upon downward reclassification of a position, an employee will be placed in the new pay grade at a rate of pay which is equal to the employee's current rate of pay. If the employee is earning a greater amount than the maximum rate for the new salary grade, the employee will incur a pay reduction to the top of scale of the new pay grade.

### **VIII. Temporary Promotion Compensation**

Temporary Promotion Compensation establishes a uniform, equitable manner to compensate individuals who temporarily fill a higher level position. All regular status town employees who fill a vacancy in a higher level position, under the following provisions:

- A. The employee is assigned by the Department Head, with the approval of the Director of Human Resources, to work in an acting capacity of a higher grade position and assumes these additional responsibilities for at least thirty consecutive calendar days. This temporary appointment shall not be for more than six months in duration.
- B. The rate of compensation for the temporary assignment will be determined on the same basis as would be used in a promotion to that pay grade.
- C. The starting date for the new pay rate will be the date on which the Director of Human Resources approves the temporary assignment. The approval will be retroactive. This additional rate shall cease when the employee returns to his/her regular position.

### **IX. Resignations/Retirements**

When employees leave town service voluntarily after notifying their supervisor in writing two weeks prior to departure, they are considered to have resigned in good standing. However, the Town Manager or the department head may accept, on behalf of the town, a resignation without the normal two weeks' notice.

Resigning employees will be provided an exit interview form to complete and return to Human Resources. Employees may request an in-person meeting with the Director of Human Resources to review the exit interview form and benefit information.

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- A. Departing employees must turn in their town I.D. card, uniforms and any keys or equipment to their supervisor no later than the last day they physically work for the town.
- B. Employees who resign in good standing may be considered eligible for re-employment at a later date.
- C. Last day may not occur on a holiday, unless the holiday is worked.
- D. Employees taking leave after resignation are required to follow regular leave request process

### X. Layoffs

An employee may be laid off when the position occupied is abolished due to adverse economic conditions, lack of sufficient work, reduction in town services, reorganization by and within town government or other reasons as deemed appropriate by the Town Manager. The Town Manager will determine whether a layoff will apply across town operations or only within a department. Prior to a lay-off, the employee will receive at least a 30 day notice. All lay-off notices will be in written form and approved by the Town Manager. Work and pay during the 30 day notice period may not be required.

The Town of Herndon encourages a performance based culture. The department head, unless otherwise directed by the Town Manager, will have the responsibility for identifying organizational sections for potential position layoff(s).

Positions will be selected for layoff based on the following criteria:

- A. Performance ratings – the last three years, or less in the case of an employee of less than three years.
- B. Disciplinary actions.
- C. Performance improvement plans.

In the case of employees receiving similar performance ratings, tenure will be the second factor considered.

Employees being laid off may be eligible for severance pay as may be authorized by Town Manager and will be paid for all compensatory time accrued and for any annual leave and sick leave in accordance with the town's policies on leave.

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An employee in good standing who has been laid off will receive preferential consideration for re-employment in a position for which the employee qualifies for one year following the layoff.

### XI. Dismissal / Separation

An employee may be dismissed for violating established policies, procedures, rules or accepted standards of personal conduct or job performance in accordance with Administrative Regulation 1-27, or other reasons consistent with state and federal law. Such reasons must be explained, and the dismissal action must be justified to the Town Manager. The Town Manager must approve such action before it becomes final.

- A. Dismissed employees will be paid through their date of separation. Eligible employees will be paid for all compensatory time accrued and for annual leave accrued in accordance with the town's policies on leave.
- B. Employees who are dismissed from town service will not be eligible for consideration for re-employment for three years.
- C. Dismissals may be appealed in the manner set out in the grievance procedure, if applicable.



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William H. Ashton II  
Town Manager